

Attorney Docket No.: **BIS-043 (BI-0004US)**  
Inventor: **Simons and Gao**  
Serial No.: **09/276,868**  
Filing Date: **March 26, 1999**  
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#### **REMARKS**

Claim 16 is pending in the instant application. Claim 16 has been rejected. Claim 16 has been amended. No new matter has been added by this amendment. Reconsideration is respectfully requested in light of the following remarks.

#### **I. Withdrawn Rejections**

Applicants acknowledge the withdrawal of the rejection of claims 11 and 13-15 under 35 U.S.C. 112, first paragraph.

#### **II. Objections to the Specification**

The disclosure has been objected to because it is suggested to recite the amino acid sequence Pro-Pro-X-X-Pro-Pro-X-X-Pro and Pro-Pro-X-X-X-Pro-Pro-X-X-Pro at page 23, lines 19-20, without providing a sequence identifier. It is further suggested that the specification recites amino acid sequences in Figures 1A and 1B without providing sequence identifiers in the brief description of the Figures 1A or 1B at page 7. The Examiner requires appropriate correction.

In the amendments filed July 22, 1999 and August 23, 2002, Applicants assigned sequence identifiers to the sequences presented in the specification at pages 23 (line 13), 25, 27 and 45 and in the drawings. However, multiple sequence identifiers were assigned to PR-39 (SEQ ID NO:1, SEQ ID NO:2, and SEQ ID NO:6), and PR-11 was assigned two sequence identifiers (SEQ ID NO:4 and SEQ ID NO:7). Therefore, in an earnest effort to place the application in better form for allowance, Applicants have amended the specification (pages 7, 23, 25, and 45), claim 16 and

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Figures 1 and 10 to correctly identify the sequences in the application. Support for the amendments to the brief description of Figures 1A or 1B is found at page 39, lines 19-22. Applicants submit herewith new paper and computer readable copies of the sequence listing in compliance with the requirements of 37 CFR 1.821 through 1.825. In light of these amendments, Applicants respectfully request that this objection be reconsidered and withdrawn.

### **III. Rejection of the Claims Under 35 U.S.C. §101**

Claim 16 has been rejected under 35 U.S.C. 101 for being directed to non-statutory subject matter. The insertion of "isolated" or "synthetic" in connection with a PR-39 derived oligopeptide is suggested. Applicants have made the appropriate amendment to claim 16 and therefore respectfully request that this rejection be withdrawn.

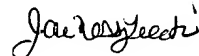
### **IV. Conclusion**

The Applicants believe that the foregoing comprises a full and complete response to the Office Action of record.

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Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Respectfully submitted,



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Date: **October 3, 2006**

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